

COMMITTEE ON HUMAN RESOURCES/INSURANCE

December 7, 2004

5:30 PM

Chairman Shea called the meeting to order.

The Clerk called the roll.

Present: Alderman Shea, Sysyn, DeVries (arrived late), Garrity, Forest and Alderman Lopez

Messrs.: Jennie, Angell, Kevin Dillon, Virginia Lamberton, Fred Rusczek, Joan Porter, Diane Prew

Chairman Shea addressed item 3 of the agenda:

3. Communication from Joan A. Porter, Tax Collector, requesting a discussion relative to part-time employees.

Alderman Forest moved for discussion. Alderman Sysyn duly seconded the motion.

Alderman Forest stated I imagine Joan is here maybe we can have Joan come up and explain what she wants.

Ms. Porter stated basically, I think, what I was saying in the letter hopefully was fairly clear, but the one thing I think that Ginny and I definitely agree on is that there is confusion with all of these references. I went through a bunch of the ordinances and even a lot of the ordinances have a lot of back-and-forth references to the part-time position. The history in our office, specifically to ours, is that many years ago we were encouraged to have two part-time employees to fill a full-time position. Even at that time they used to give health insurance so I think the benefit to the City was just that we have two people doing the job part-time and had the flexibility or could fill the position if there was a vacancy. I'm not really sure why because I did not hire them way back then but I know that we were encouraged to do that back then and when they took health insurance away from the part-time employees and then it became a definite benefit to the City because you're no longer paying health insurance to these employees. In our office the reason it works so well is we have two part-time people who fill a full-time position. This isn't someone that we hired to fill in for vacation or for sick leave or when somebody takes a leave of absence. This is a person who fills that six

station at our counter and we need six employees for the most part on that counter waiting on people. So, we have two part-timers doing what one full-timer would do but it takes a long time to train that person particularly when they're a part-time person because they're there four hours a day and the thought behind it for us that has worked well is that when we have a vacancy that part-time person moves into the full-time vacancy and we only have somebody missing four hours a day instead of eight hours a day. That's just the history of why the position works well for us. Up until recently which I guess was August '02 the part-time employees, as far as we've always known were considered to be the exact same thing as the full-time person except that they worked 20 hours a week and recently no longer received health insurance. They were on probation at the end of six months, we either kept them or we didn't and they got an increase at the end of the probation and then went on to the same type of treatment that full-time employees got but always on a prorated basis. So, if we have a part-time employee who works for six months she's put in 1,040 at the end of six months, no actually she's put in half of that, she's put in half of the 1,040 and a full-time person has put in 1,040 but when they're granted their step increase the part-time person is getting half of what the full-time person got. So, she's not getting the same thing as full-time, she's getting half. If she needs to work the same amount of hours as the full-time person to get her first step increase then she has to work a full year to get the first one and she's only going to get half of what the full-time employee got six months ago and then the way the change came into August '02 it specifically says they have to work 2,080 hours...this is for seasonal/temporary...but, because of the way the ordinance is written it apparently will apply to part-timers. To me that was inadvertent but maybe not, I don't know. It specifically says 2,080 hours, which for this part-time person means every two years they get an increase but they're still only getting half of what the full-time person got way back when they got theirs. So, there's that inequity there. We also have some concerns that the handbook says one thing and the policy is different. Now, in the ordinances there's a few different things like 33.022 is the beginning of all of those ordinances referring to this issue and that one does include elected officials, members of boards, the secretary, the administrative assistant to the mayor, it doesn't exclude part-time people. To me if the ordinances are written for full-time people then they should mention here that part-time people are excluded. So, they're not in the inclusion provision in 33.022 which to me would kind of imply that they're not excluded. Then 33.024 says that all the positions in service of the city should be grouped into classes and they should have the same rates of compensation and that won't happen if we don't treat these people the same as we're treating the full-time employees. I don't have a ton of these, so it won't take too long...in 33.047 where they refer to the probation period they're saying that the first six months of services in this position to which you're appointed or promoted is probation except Fire Department personnel and entrance-level Police. There are no other exceptions and so I guess in my opinion that means that

a part-time person is on probation for six months. The handbook also says that, it doesn't have any exceptions, the handbook says "you" are on probation for six months and this is a handbook that the employee received at orientation and signed for. Then 33.052 says the service requirements for advancement within a pay range shall have the implication of continuous service. To me, that's one of the things that differentiates them from temporary/seasonal because temporary/seasonal's don't have the continuous service that a part-time employee in our category does. In my opinion, I don't have a temporary/seasonal, I have what has come to be known as a regular part-time position which means they're hired to be there for as long as the relationship works because it's a position that's always going to be there and needs to be filled. When we got to 33.062 and 33.063 which is where all of this confusion came about...33.063 was changed on August 6, 2002 and because 33.062 the one before it says that part-time people will be based on 33.063 that's where the confusion comes that part-timers should be treated as temporary/seasonal, however, I think that in 33.062 that the intention at the time was to include part-time employees with seasonal/temporaries and that 33.062 should have at least been referenced with the same 33.062 so that we knew that was the intention. It doesn't look like the intention and I know that if I were notified that they did change to temporary/seasonal employees it wouldn't even affect me because I don't have temporary/seasonal employees, so truthfully I would not have paid attention to that. Under 33.075 it says any employees of the city...again, it says "except" temporary employees and part-time employees who work less than half the regular schedule. So, it's differentiating again between part-time who work more than half or temporaries or seasonals...these are the ordinances and they are differentiating between these classes. Under 33.079 (vacations) it's says all employees except part-time employees who work less than half the regular work week, temporaries, seasonals, school term employees are all eligible...those are the exceptions, everyone else is eligible for vacations and part-time employees who work more than 20 hours are eligible for vacation. Under (sick leave) we have another dilemma because the vacation that you're entitled to after six months of continuous service, under sick leave unfortunately I can only guess that the way they worded it was different from vacation because I'm guessing they assumed that six months was the end of probation because they reference sick leave with all permanent employees in the city except temporary, seasonal and part-time employees who work less than half shall be entitled to sick leave with pay after they complete their probation. Now, part-time employees, regular part-time which we have at 20 hours a week are entitled to sick leave, but if we're going by this new change they don't have a probation. So, the dilemma is this read that they can start taking their sick leave after probation, but they don't have a probation...well, I think they do anyway. Under the ordinances those are the places where I had found discrepancies or problems. While permanent part-time persons...the categories that to me differentiate from a seasonal/temporary are number one when they're hired by us they are required to go for a

physical...temporary and seasonals are not. They have to go to orientation, they have to sign for a handbook and that handbook tells them a lot of things that they're entitled to and it doesn't say in the beginning that if you're not a full-time employee it doesn't apply. They're entitled to retirement, they're entitled to vacation, to sick, to bereavement, to paid holidays and they're in the sick bank. The fact that they're in our retirement system makes them definitely different from seasonal/temporaries and then in the handbook the differences I have probation is listed the same way in both the old version of the handbook and new. The probation (both say) "you" (the person reading it) are on probation for six months and then under tuition reimbursement it's the same in both right now and it refers to regular full-time employees and regular part-time employees and those are the people who qualify for that and then under non-probationary employees that's where regular part-time was removed, but I think that was based on that ordinance change of August 6, 2002 and I'm not sure that the intention was that regular part-time people be removed from that in the handbook, so other than that I don't have anything to say.

Alderman Forest asked could Ms. Porter explain what she wanted and I think the other question would be for Ginny.

Ms. Lamberton stated if you would refer to my letter that is in your packet which is dated November 26th you'll see that I have not said nor has anybody said that a part-time employee is considered a seasonal or a temporary employee. The change in the ordinance that occurred in August '02 under the header of part-time employees...if you look at the third page of my packet attached to my letter what it says is in order for a part-time employee to get a step they have to do the same thing that a seasonal or a temporary employee does which is work the same number of hours as a full-time employee works which is 2,080 hours. It does not say they are a seasonal or temporary employee. The reference is this is the rule for a part-time employee. As far as getting half to the number of hours, first of all, they're only working half the time so if you're talking about an annual salary that's true, but if you're talking about what they get paid per hour it's not true. The employee gets hired at a grade, whatever grade that is and whenever the employee gets the 2,080 hours he or she gets a step increase. So, they are being paid the same rate. Will it take a part-time employee longer to get a step, yes because they're not working full-time; they're working part-time. As far as the references, it's my opinion that ordinances are there and they address full-time employees. Exceptions to that are specifically delineated in different ordinances such as my first paragraph says...full-time employees get this...part-time employees get less vacation time because they're not working as many hours, they get less sick time because they're not working as many hours...on a holiday they don't get the full eight hours that a regular employee would get, they get whatever hours they normally work the day before...if they work four hours a day, if there's

a holiday and the office is closed and show up the day before the holiday and the day after they get four hours of pay rather than eight because they're not an 8-hour employee. So, it's just distinguishing them differently, yes, because they're not working the same number of hours as a full-time employee works. The Employee Handbook is the same as the ordinances. When we give out the Employee Handbooks in orientation 98% of the time the attendees at orientation are full-time employees, so the book is written that way. Exceptions to that...what Christine Martinsen does who does the orientation is before the program she finds out who's been hired, what kind of position they've been hired in, what union they're in and if they're a full or part-time employee and then she will talk to them separately, typically, about what's different or if they ask a question. As far as language talking about permanent part-time employees which Joan referenced in her letter to my knowledge there is no such thing as a permanent part-time employee. A part-time employee is a part-time employee; we pay them by the hour. Part-time employees do not have rights with the Personnel Appeals Board if they are disciplined or terminated whereas a full-time employee does. Seasonal and temporary employees wouldn't anyway because they're not there long enough, but part-time employees do not have access to that. So, they're definitely excluded from many things, as they would be in any normal work environment from what the full-time employees are getting.

Alderman DeVries asked, Ginny, could you tell me the non-seasonal part-time employees are there many throughout the city?

Ms. Lamberton replied non-seasonal...the place where we have seasonal employees is most of the time in Parks and Recreation. They come on in the summer and work at the pools as lifeguards, etc. And then they go away and then in the winter we hire another group of seasonal employees who work at McIntyre.

Alderman DeVries stated I'm looking for the rest of the part-timers that are not part of the seasonal.

Ms. Lamberton stated remember part-timers are not considered seasonal employees, I want to make that very clearly, they're not considered in that category except when it comes to receiving the merit and step increases. We have several part-time employees at the Library. I have a part-time employee who works in my office and she has to work those hours in order to get a step. Part-time employees are not serving a probationary period, they are hired to work a certain number of hours and once they attain those hours they get a step. Part-time employees typically are the first people you let go if you have cutbacks in an organization as well.

Alderman DeVries stated a question for Joan. Your part-time employee is he or she doing the same job that other employees are doing?

Ms. Porter replied yes. She works on the counter, she handles millions of dollars just like all the others do, she registers cars, collects property taxes and does the exact same job that the person next to her working full-time does. And, the full-time person gets their first step after six months, so it would be after 1,040 hours and not after 2,080 but that ordinance change says that seasonal/temporaries and part-time get their first one after 2,080.

Alderman DeVries stated so this individual...there is no differentiation at all between the duties that she or he has assumed and any other employee in a similar class in your office.

Ms. Porter replied no difference.

Alderman DeVries asked is there a difference in the rate that that person was able to take on new duties because it was part-time?

Ms. Porter replied only until she's trained. Once she's trained then she's assumed to be as speedy as the regular full-time person.

Alderman DeVries stated so the training period for your part-time employee versus your full-time.

Ms. Porter stated the training period is longer because they're in the office less days. It's spread out more over time but hourly and obviously training is always dependent upon the person and how quickly they learn.

Alderman DeVries stated, Ginny, our step increases are actually merit increases...there is a review that is filled out by a supervisor.

Ms. Lamberton stated that is the intent, yes.

Alderman DeVries stated I understand the accrual of benefits but the rest of the benefits would be lower on the part-timer versus a full-timer, I just don't fully comprehend if this is a merit review.

Ms. Lamberton stated when you accepted Yarger Decker and you accepted the performance appraisals at the time and the employee development forms and all of that that was the whole point of giving all of the step increase. The employees were rated numerically, etc., etc., etc. in order to qualify for a step increase. So,

the whole system was established supposedly to grant people step increases based on performance if they met the other criteria.

Alderman DeVries stated I guess that is why I'm having a hard time with it because it is a review based on performance.

Ms. Lamberton stated they're not here the equivalent amount of time that a full-timer is and so they should not be moving up in the steps at the same rate as a full-time employee does. Are they paid the same, they're at the same grade and that's the question about equal pay for equal work, are they at the same grade. They're expected to have the same knowledge but my payroll coordinator is a part-time employee. She's expected to run our payrolls and she does, but she works three days a week. She will not get a step until she attains her 2,080 hours.

Alderman DeVries stated one final question if I might. I understand what you're saying and I understand the way the ordinance is written, I guess I'm questioning the intent of our review, our steps is meant to be a merit review which evaluates performance and will compensate if somebody is performing at a certain level. So, if you have one employee sitting beside another employee who works more hours but they are performing equally and have met the standards of the performance review, I don't understand why there would be a difference in compensation or why there would be a difference in eligibility for the step, if we are in fact rewarding performance and not time on the job.

Ms. Lamberton stated it is time on the job. If you had a full-time employee who goes out on leave without pay before...that step is going to be extended until such time as they return to work and fulfill the 2080 requirement. Not to sound flip but based on your theory a full-time employee could say after three months I want a step because the part-time employees are getting a step after three months and I want another step after six months because they're getting a step after three months...that could just be taken and taken and taken.

Alderman Lopez stated thank you, Mr. Chairman, for allowing me to speak. As former Chairman of the HR Committee for four years, in my opinion, this has been lingering on a long time and there have been many of departments...there's three departments in the room that has part-timers and I know from experience at Parks and Recreation a seasonal employee's at work and they have longevity and they have more money and there's no clear cut policy across the City as far as this Alderman is concerned. In reference to part-time, I believe that there is a difference between a part-timer and a seasonal or casual or whatever the terminology we would want to use. If we're talking in the future of part-timers not taking the physical, not contributing to retirement, not pro-rating somebody...I think that Alderman DeVries brings up a very good point of efficiency,

proficiency and job performance when somebody is doing the same job as a full-time regular. A seasonal employee is a little different working on the ski areas or doing a labor type job versus a controlled environment such as the Tax Collector's office or Welfare or the Health departments. I know I can give you some statistics...whether they're true today I don't know, but I'm sure if you asked the HR Director could provide those if they have it. I know at one time the Health Department worked 20 hours a week, three or four people that were part-time, 28 hours a week...the Health Department had people at 31 and 35 hours a week and the City Clerk had part-time people. So, I think everyone's been treated differently over the number of years and when the ordinance came about one part of the ordinance as was indicated by Joan Porter was taken care of but I don't think the part-time issue was ever addressed. If we're going to look at taking somebody that's seasonal or casual and working up to part-time hoping that someday they'll become full-time, I think once you become a part-timer in the city let's hope that you're going to become a regular and you've learned that job and that's what happens when Frank Thomas hires somebody down there as a casual, seasonal or part-timer and when they hire down there then they're hoping that they can become a regular, so there's got to be a clear cut policy clear across the city because I think there's department heads in the entire city that are working from a misconception...nobody's at fault, it's the wording that's in the ordinance. So, I thank the committee for listening to me in taking this up because I think it's very important for somebody...if a part-timer is paying into the retirement system and has to take a physical then the compensation ought to be there on a prorated basis, whatever that compensation is and there ought to be a scale for it...treat everybody the same. Thank you.

Chairman Shea stated one of the concerns that I have and, Ginny, you could explain this is the unintended consequences in terms of a decision being made. In other words, how much of an impact is this going to make if, in fact, the committee recommends whatever one way or the other. What are your thoughts on this? Do you simply have a difficulty explaining how this is going to impact full-time workers in terms of after six months rather than after a year being evaluated, how is this going to unfold is everything unravels as it were because we make a decision one way or another?

Ms. Lamberton replied first of all it would seem to me that we have an ordinance that was passed by the full Board that says the part-timers have to work 2,080. So, the only way that you can change that is by changing the ordinance for one thing. And then typically what we do is we say from this day forward anybody who's hired as a part-time employee will get this or that or won't get this or that.

Chairman Shea stated my concern is how does that impact the full-time workers when somebody working part-time after six months is going to be...I might be

reading this wrong but they're going to be entitled to some sort of a pay grade increase.

Ms. Lamberton stated they're not entitled to a step but I think that there could be that feeling that...wait a minute, how come the part-timer only has to work 520 hours and they get a step, I have to work 1,040, etc. And, so clearly, that would be an issue, I think.

Alderman DeVries stated I think clearly that the issue is and Ginny you just touched on it the feeling of entitlement. The steps built into our salary classes are meant to be an evaluation of progress of the job and a reward for the added job skills and if their supervisors that are there, managers, department heads, etc. are not taking that process seriously and are entitling people a step increase without the proper review that is where, I believe, we need to have the accountability. I don't think that the system has been working for us as it was envisioned but is the problem, the vision or the problem...how it is being carried out in the city. There is a feeling of entitlement that people are afraid to say you are not working up to the expectations and do not qualify for a step increase today. Human nature makes that very difficult to do, but that has to happen because that would address, Alderman Shea, your concern about how the full-timer would feel. You need to progress on the job, you need to demonstrate the skills and then you are rewarded a step increase. If a part-timer working less hours takes longer to meet the expectations of that manager then it will take longer for them to earn that step. That is how I interpret the Yarger Decker.

Ms. Porter stated in reference to your question, Alderman Shea. The fact that we have been doing this for over 20 years and there's never been a full-timer who has resented the part-timer working next to them for whatever they're getting, so that issue to me is not an issue in regard that in our office we've never had a full-timer come to us and say why are they getting a raise when I have to work this much longer. And, the other thing I would say as Ginny referenced the ordinance that got changed says specifically that seasonal/temporaries have to work 2,080 hours. Season/temporaries, in my opinion, are a totally different category in that there isn't a commitment to them coming back next year or whatever...2,080 hours means they have to work the equivalent of a full year...52 weeks, 40 hours before they get their first one. Because of the way this ordinance was written in that the one above it says you pay the part-time employee's by what it says down below now the part-timers have to work 2,080 hours which means they have to work a full year, not a half year and actually the 2,080 hours for a part-time person is two years. So, they would work 1,040 hours at the end of a year and still not be entitled to anything or merit anything because the ordinance says 2,080 hours and for a part-time person working 20 hours a week she's going to have to work two years to get the first merit.

Chairman Shea stated you have to realize that the person working 2,080 hours is spending four extra hours per day doing that same job and that's really why there's that differentiation between somebody working four hours, leaving and the other person working eight hours and still has to do the other four hours.

Ms. Porter stated the temporary/seasonal has to work 2,080 for their first step, a full-time person does not. A full-time person gets their first step after 1,040 hours because they get one at the end of their probation.

Chairman Shea stated yes but they're working 8 hours every day rather than 4 hours every day.

Ms. Porter interjected as are temporary/seasonal. They're both working 8 hours a day but a temporary/seasonal can work 8 hours a day for two months, three months, four months...they have to add up to 2,080 hours to get their first step. A full-time person working 8 hours a day at the end of six months they've put in 1,040 hours and at the end of six months they have a probation that's over and they get their first step after 1,040 hours and a temporary/seasonal working 8 hours a day has to work the equivalent of two years to get that same thing for a full year.

Chairman Shea stated I'm just as confused maybe as anyone, Ginny.

Ms. Lamberton stated again there is a difference between being a part-time employee and being a full-time employee. For example, you just said they're here 8 hours, they're actually here 9 because they probably have to come in early, lunch is another hour, so that extends the amount of time they're here. A part-time employee could conceivably work several part-time jobs, they could have a business on the side, a whole bunch of other things or just work part-time because that's just what they choose to do. But, there is a difference. Wherever you go there's a difference between what part-time people get and what full-time people get. When this ordinance was being revised in '02 the ordinance for the seasonals and temporaries actually said that those people every time they came back to work the season they got a step, so they were getting steps, steps, steps, steps...and so, that is what we were correcting when we did it and then we said fair is fair. If a full-time person has to work a year so does a part-time person and so does a seasonal.

Ms. Porter stated my thought was that I believe that that's what the intention was to begin with that temporary/seasonals were coming back every year and getting increases and I would be the first to agree I don't think a temporary/season person necessarily should expect a raise every time they come back every year because

there's no commitment. Next year they may decide to work somewhere else and they're not coming back and they don't require the extensive training, but I think the side effect of this was that it affected our regular part-time employees because they're not the same as a seasonal/temporary person. In work ethic, in work commitment, in training...a season/temporary can come in and learn how to do their job rather quickly. A regular part-time person cannot and that to me is one of the differences.

Alderman DeVries stated I would say what we heard from Ginny is that it's her interpretation that without an ordinance change there's nothing to act on today. The only additional step that we could take is to ask for further opinion, if Ginny feels it's a legal opinion, to clarify. So, maybe table this and ask for the opinion as to whether the ordinance is applicable or not.

Alderman DeVries moved to table item 3 and request City Solicitor for opinion as to whether or not the ordinance is applicable. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

Chairman Shea addressed item 4 of the agenda:

4. Communication from Virginia Lamberton, Human Resources Director, submitting a proposed Ordinance providing for reclassification of the Deputy Welfare Commissioner, salary grade 22, to a Welfare Specialist II, salary grade 18, on behalf of the Commissioner of Welfare.

Alderman Garrity moved to recommend that the ordinance ought to pass. Alderman Sysyn duly seconded the motion. There being none opposed, the motion carried.

TABLED ITEMS

5. Communication from Virginia Lamberton, Director of Human Resources submitting a proposed tuition reimbursement policy for non-affiliated employees.

On motion of Alderman Forest, duly seconded by Alderman Sysyn, it was voted to remove item 5 from the table for discussion.

Chairman Shea stated I noticed there are a number of people here to listened to the interesting discussion and I think, Mr. Dillon, if you'd like to come forward that you submitted to the committee first and then we'll have others.

Mr. Dillon stated first I should say that I think it's a great idea that we're developing policies for both tuition reimbursement as well as staff development. My concern though is with the staff development policy that's been proposed. It appears that there's a limitation on utilizing college courses for staff development, I don't really understand that logic why that limitation would be there. If a particular department feels that they need to send someone to a college course whether it gives credit or not I think that that should be available to a department head to utilize for staff development purposes. I can tell you, for instance, at the Airport we have engineering folks that would need CAD courses; that typically would be a college course (CAD), electrical design courses...we send people to airfield courses that sometimes are given by Daniel Webster College and it just seems odd to me that there would be a restriction as part of staff development that would exclude that whole classification of education or training for staff development. I've asked that that be approved as part of the staff development policy that department's be able to send people to college courses when it's necessary.

Alderman DeVries stated my question is not specifically of you, Kevin, but maybe Ginny Lamberton...general policy, if there is a college course that is completed and paid through staff development that would come out of that particular department's budget, I would assume.

Ms. Lamberton stated yes.

Alderman DeVries asked if the employee fails to complete or pass that particular course is there or can there be something written into policy that there would be the same sort of reimbursement?

Ms. Lamberton replied there could be. I don't think we thought of that, to be honest with you.

Mr. Dillon stated I think the difference that I see between tuition reimbursement and staff development...staff development is something that the City as the employer is fostering and basically dictating the person needs to go through that training versus tuition reimbursement is something that's initiated by the employee for the employee, so I think I would find it difficult that if I am requiring someone to go through training if for some reason they failed the course that we would look for reimbursement because it's a requirement that I'm placing on them.

Chairman Shea stated may I insert this...I know when a person goes for staff development as a teacher they pay for their own staff development, they have to pay that. In other words, they have to get so many credits within a three-year

period but they have to pay for those particular staff development hours by sending a stipend to the State which requires them to get so many hours either 60 hours or so forth. This is just indigenous to the School Department but I'm just explaining that there is a differentiation between somebody receiving college tuition monies and monies for staff development. There's a separate division there, but I just wanted to make that insertion.

Ms. Lamberton stated for teacher's tough, as you know, if they continue their education and they get credits towards their Masters or attain their Masters and Masters Plus they go onto a higher pay scale and they do get tuition reimbursement.

Chairman Shea stated but that's not considered staff development.

Ms. Lamberton stated no that's considered tuition reimbursement which is the same for the City employees. The staff development came up because of the audit and when Kevin Clougherty had asked this Committee to table the original policy during the discussions there was a discussion that we should have some sort of a staff development policy as well as a tuition reimbursement policy because there wasn't either. I happen to agree with Kevin, I was outvoted at my committee level, I think and there's department heads here who will address that themselves but if we're telling an employee...say legal...there's all sorts of environmental issues coming up now and if Tom Clark needs to send an attorney back to law school for a course to learn about environmental law then we should be paying for that because it's a win/win situation.

Alderman DeVries asked, Ginny, can you tell me if a college degree happened to be completed through employee development, we add college courses into the eligible category would that employee be eligible for an A step?

Ms. Lamberton replied A steps...the additional requirements for A steps were established and so the answer could be 50/50 yes or no, it depends on the job and it depends on what the department head determined was appropriate for that particular job class and whether or not the employee worked toward that, but it can happen.

Alderman DeVries stated I'm confused maybe you could clarify for me why that would be up to the department head.

Ms. Lamberton replied because that's the way it was set up. When they were first implementing Yarger Decker I wasn't here but it is my understanding that time ran away from them and so Human Resources gave up working on it and gave it to the department heads to work with the employees and I think in the unionized

environments they discussed it at the table and at the non-affiliated...I wasn't here but that's my understanding.

Alderman Forest stated I have one question, the A steps have been eliminated from my understanding.

Ms. Lamberton replied no they have not.

Alderman Forest stated I thought we had eliminated those in negotiations.

Ms. Lamberton stated no. We negotiated getting double steps, we call special merit increases and cash bonuses...remember I said earlier, in the old performance evaluation forms if you got a rating of 7 or more the employee was entitled to a 3% cash bonus and that was eliminated for everybody through the contracts and through non-affiliated.

Chairman Shea asked Ms. Diane Prew, Director of Information Systems if she wished to address the Committee?

Ms. Prew stated in our case, like Kevin Dillon we do use college courses as part of our technology and we have found that in a number of cases the courses at the college level are less expensive than the courses through the special training schools that are out there. People go for a full semester when they go to college as opposed to having it crammed into a 5-day course...so, we feel that the retention level is better and in a lot of cases when they're going to the college course they're going on their own time, when they're going to one of the concentrated courses they're taking a week of work time and they're not in the office and again as Kevin Dillon said we're mandating that they take these courses, we need them to be trained in these areas and they really have no choice and I think to address the question if they don't pass the course then from my perspective I would be looking at that individual in terms of his employment because I expect to have a professional person. If they failed the course without a good reason of illness I would...

Chairman Shea called up Mr. Fred Rusczek, Public Health Director, to address the Committee.

Mr. Rusczek stated I'm here in support of adding the college credits to that section on staff development. In the Health Department we differentiate between tuition reimbursement and staff development in this manner. Tuition reimbursement for us are things that employees need to do to enhance their career or to comply with their licensing requirements much like teachers. So, employees would apply for tuition reimbursement and get a portion of their course cost paid. Staff

development for the Health Department are those training programs that are essential to our day-to-day work but not essential to an employee's career development or license requirements. An example would be if there was an update course on TB control. We would want our staff to attend that and would, therefore, pay for it under staff development. There are a few occasions and I will tell you it's a handful where the appropriate place for someone to get the education necessary on that would be from a program that also offers college credits. An example is the University of Mass in Lowell provides a wonderful training program on communicable disease control. It's not something that we could duplicate anywhere else, it's not part of a person's standard education and so if we felt that it was important for a staff person's development who handles communicable disease control that would be an efficient way for us to get that education and knowledge level up. I've been before the Aldermen so many times through the years and I've said that for the Health Department efficiency comes from knowledge and experience and that knowledge comes from the staff development often. Lastly, the question came up is what would we do if we had an employee who didn't complete a required course that the City was paying for under staff development. For us it's clear, if an employee doesn't meet job expectations then that's an issue that would get reviewed upon the annual evaluation, it could very well be an issue that would prevent one from getting their merit step. Thank you.

Alderman DeVries asked, Ginny, could you tell me the draft staff development policy that will apply both to affiliated and non-affiliated.

Ms. Lamberton replied probably not. Usually, and Tom can correct me if I'm wrong...typically the ordinances do not apply to affiliated employees.

Alderman DeVries asked why would that be? Maybe I understand the tuition reimbursement is negotiated.

Ms. Lamberton replied that is negotiated. I would guess that if there was going to be a staff development policy in the contracts that that would have to be negotiated with the individual unions.

Alderman DeVries stated I guess my only comment to that would be that there were many of the benefits given to affiliated contracts that were under a me too status to the non-affiliated, so I don't understand why there's not less in that with something like staff development whether you're affiliated or not it's still important to develop within the position.

Ms. Lamberton stated don't misunderstand me. The affiliated employees do have staff development and their departments do have staff development funding and they do pay for it 100% so that is happening but there's not a policy per se.

Alderman DeVries stated I guess we're waiting for an opinion from legal.

Deputy Solicitor Arnold stated I guess I'm not sure what you're asking. Generally, of course, if an affiliated employee is subject to a collective bargaining agreement that collective bargaining agreement defines it's relationship with the City. So, if the collective bargaining agreement has provisions in it providing for staff development then, of course, they would take precedence over the ordinances yes.

Alderman Forest stated, Tom, if we set this up, if we vote on this and put it to the full Board what will we need in it in order to...if the unions do have a negotiated thing on this, what would we need in order not to violate their contracts but set this up?

Deputy Solicitor Arnold stated I think you would just merely provide that if there is a collective bargaining agreement that that takes precedence.

Ms. Jennie Angell stated I am a representative of the non-affiliated group and put together this letter on staff development and I'd like to thank you for taking the time to address this. One of the things I'd like to bring out...I work for Diane Prew and I have a staff of technology people who work for me and as we all know technology is continuously moving, new technology, new skills and abilities that need to be developed and so staff development is very important and I would just like to list a couple of examples of why I really hope you don't exclude college courses. In training, everybody learns differently so I try to accommodate those needs as much as possible. But, for example, PC & A certification is what I require...if I send somebody for training and they go to the NH Community College the cost for going to that course is \$878 for a 15-week period that somebody is going to learn. If I go to a training facility for a one-week time the class is \$1,595, so it's better for me to send someone up to the Technical College, it's cheaper and the employee learns more.

Alderman Garrity moved to add the college courses to the staff development budgets. Alderman Forest duly seconded the motion. There being none opposed, the motion carried.

Ms. Lamberton stated I just happen to have a revised policy that could just move forward that includes the college courses.

6. Report from the Human Resources Director relative to a bonus system, if available.
(Tabled 04/06/2004 pending report from Quality Council advising of status.)

This item remained tabled.

There being no further business to come before the Committee, on motion of Alderman Garrity, duly seconded by Alderman DeVries, it was voted to adjourn.

A True Record. Attest.

Clerk of Committee